



Attorney Docket No.: SP00-386

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Berkey et al.

Serial No: 10/023,291

Group Art Unit: 1731

Filing Date: 12/14/2001

Examiner: John M. Hoffmann

Title: LOW WATER PEAK OPTICAL
WAVEGUIDE FIBER

AFFIDAVIT

STATE OF NEW YORK:
COUNTY OF STEUBEN:

AFFIDAVIT UNDER 37 C.F.R. 1.132

I, Richard M. Fiacco, being duly sworn, depose and state the following:

1. I am an applicant for U.S. Patent Application 10/023,291.
2. Upon information and belief, George E. Berkey, Dana C. Bookbinder, and Dale R. Powers are also applicants for U.S. Patent Application 10/023,291.
3. I am an inventor of subject matter in U. S. Patent No. 6,477,305.
4. I, along with George E. Berkey, Dana C. Bookbinder, and Dale R. Powers conceived or invented the subject matter disclosed at least in column 9 lines 25-41, and in column 10 lines 65-67, and in claims 18-19 of U. S. Patent No. 6,477,305.
5. Therefore, upon information and belief, it is asserted that any cited invention disclosed but not claimed in U.S. Patent No. 6,477,305 is not the invention "by another".

WHEREFORE, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, and any patent to which this declaration is directed.

Richard M. Fiacco
Applicant

Sworn to before me this
8th day of March, 2004

Notary Public

MICHELE N. O'DELL
Notary Public, State of New York
Schuyler County No. 4712916
Term Expires 5/31/06